

REMARKS

The last Office Action of May 22, 2006, has been carefully considered. Reconsideration of the instant application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1-13 are pending in the application. Claims 1, 5, 7, and 10 have been canceled. Claims 2-4, 6, 8, 9, and 11-13 have been amended. Claims 14-23 have been added. The fee of \$600.00 for submitting three independent claims in excess of three is being paid by credit card.

Claims 1, 2, 11, and 13 are objected to because of certain informalities which have now been corrected in a manner suggested by the Examiner. Withdrawal of the objection to claims 2, 11, and 13 is therefore respectfully requested.

Claims 1, 3-5, 7, 9, and 10 stand rejected under 35 U.S.C. §102(b) as being anticipated by WO 01/47099.

Claims 1 and 10 stand rejected under 35 U.S.C. §102(a) as being anticipated by Applicant's Admitted Prior Art (APA).

Claims 3-5 stand rejected under 35 U.S.C. §103(a) as being unpatentable over APA in view of WO 01/47099.

It is noted with appreciation that claims 2, 6, 8, and 11-13 are indicated allowable if rewritten to include all of the limitations of the base claim and any intervening claims.

For the purpose of expediting the patent application process in a manner consistent with the PRO's Patent Business Goals (PBG), 65 Fed. Reg. 54603 (September 8, 2000), applicant has canceled original claim 1, and has rewritten claims 2, 6, 8, 11, 12, 13 in independent form to include only those limitations of previously filed claims 2, 6, 8, 11, 12, 13. Accordingly, applicant asserts that claims have not been narrowed to trigger prosecution history estoppel. *See Salazar v. Procter & Gamble Co.*, 75 USPQ2d, 1369 (stating that introducing claim 7 based on the allowable subject matter of dependent claim 3 of the "149 application was

not a narrowing amendment for purposes of patentability and, therefore, does not by itself give rise to prosecution history estoppel).

Claims 3 and 4 have been amended to make them dependent on independent claim 2. Claims 14-23 have been added to set forth the subject matter of claims 3 and 4 and have been made dependent on independent claims 6, 8, and 11-13, respectively.

The foregoing amendments to the claims correct each and every objection and/or rejection to the claims.

In view of the above, each of the presently pending claims in this application is therefore believed to be in immediate conditions for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

Respectfully submitted,

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Date: July 5, 2006
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